

COMMITTEE AMENDMENT FORM

DATE: 7/29/08

COMMITTEE CITY UTILITIES PAGE NUM. (S) 1

ORDINANCE I. D. #08-O- SECTION (S)

RESOLUTION I. D. #08-R- 1554 PARA.

AMENDS THE LEGISLATION BY DELETING GAITOR CONSTRUCTION
INC. AND REPLACING IT WITH GAITOR CONSTRUCTION COMPANY
WHEREVER IT APPEARS IN THE LEGISLATION.

AMENDMENT DONE BY COUNCIL STAFF 7/29/08

A RESOLUTION

08-R-1554

BY CITY UTILITIES COMMITTEE

CORRECTING RESOLUTION 08-R-0413 BY DELETING INLAND WATERS POLLUTION CONTROL, INC. AS THE COMPANY NAME AND REPLACING IT WITH INLAND WATERS POLLUTION CONTROL, INC./ GAITOR CONSTRUCTION CO., A JOINT VENTURE WHEREVER IT APPEARS IN THE LEGISLATION; AND FOR OTHER PURPOSES.

WHEREAS, Resolution Number 08-R-0413 (attached) was adopted by March 03, 2008, and it was approved by the Mayor March 11, 2008; and

WHEREAS, Resolution Number 08-R-0413 authorized the Mayor to execute an Agreement with Inland Waters Pollution Control, Inc. for FC-3007000047, For Sewer Group Two Rehabilitation Phase I-Pipe Bursting, Contract B on behalf of the Department of Watershed Management; and

WHEREAS, the name of the company has changed from Inland Waters Pollution Control, Inc. to Inland Waters Pollution Control, Inc./ Gaitor Construction Co. a Joint Venture and the need for this corrective action is necessary for future payments to the company; and

WHEREAS, the departments of Finance, Procurement and Watershed all agree this legislation should be amended to reflect the new name of the company.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That Resolution 08-R-0413 is hereby amended by deleting the name " Inland Waters Pollution Control, Inc." wherever it appears in the legislation and replace it with "Inland Waters Pollution Control, Inc./ Gaitor Construction Co., a Joint Venture".

SECTION 2: That all resolutions and parts of resolutions in conflict herewith be and are hereby waived for this instance only.

A RESOLUTION

08-R-1554

BY CITY UTILITIES COMMITTEE

CORRECTING RESOLUTION 08-R-0413 BY DELETING INLAND WATERS POLLUTION CONTROL, INC. AS THE COMPANY NAME AND REPLACING IT WITH INLAND WATERS POLLUTION CONTROL, INC./ GAITOR CONSTRUCTION INC., A JOINT VENTURE WHEREVER IT APPEARS IN THE LEGISLATION; AND FOR OTHER PURPOSES.

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SECTION 1: That Resolution 08-R-0413 is hereby amended by deleting the name " Inland Waters Pollution Control, Inc." wherever it appears in the legislation and replace it with "Inland Waters Pollution Control, Inc./ Gaitor Construction Inc., a Joint Venture".

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CITY COUNCIL
ATLANTA, GEORGIA

08-R-0413

AN AMENDED RESOLUTION

BY CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH INLAND WATERS POLLUTION CONTROL, INC., FOR FC-3007000047, CONTRACT FOR SEWER GROUP TWO REHABILITATION PHASE I-PIPEBURSTING, CONTRACT B, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED SEVEN MILLION, FOUR HUNDRED SIXTY THOUSAND, SIX HUNDRED TWENTY-SEVEN DOLLARS AND FIVE CENTS (\$7,460,627.05); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBER 5058 (2004 WATER & WASTEWATER BOND FUND) 170215 (DWM WASTEWATER SEWER REPAIR) 5414002 (FACILITIES OTHER THAN BUILDINGS/INFRASTRUCTURE - CIP) 4333000 (NEW SEWER SERVICES) 102445 (SEWER GROUP 2 REHABILITATION) 21445 (DWM 2004 BOND 9999) AND PTAE0 FUNDING SOURCE 17102445 101 505821445 5414002 FACILITIES NOT BUILDINGS - CIP/CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did advertise for FC-3007000047, Contract for Sewer Group Two Rehabilitation Phase I-Pipebursting, Contract B on behalf of the Department of Watershed Management; and

WHEREAS, the Commissioner of the Department of Watershed Management ("DWM") has identified the need for a contract that will provide sewer rehabilitation services which include open cut replacement, manhole rehabilitation, sewer and manhole cleaning and other associated work, including a defined scope and fixed unit prices for rehabilitation of small diameter sanitary sewers in the Nancy Creek Basin; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer have recommended that FC-3007000047, Contract for Sewer Group Two Rehabilitation Phase I-Pipebursting, Contract B, be awarded to Inland Waters Pollution Control, Inc., in an amount not to exceed Seven Million, Four Hundred Sixty Thousand Six Hundred Twenty-Seven Dollars and Five Cents (\$7,460,627.05).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to enter into an Agreement with Inland Waters Pollution Control, Inc., for FC-3007000047, Contract for Sewer Group Two Rehabilitation Phase I-Pipebursting, Contract B, on behalf of the Department of Watershed Management, in an amount not to exceed Seven Million, Four Hundred Sixty Thousand, Six Hundred Twenty-Seven Dollars and Five Cents (\$7,460,627.05).

BE IT FURTHER RESOLVED, that the term of the Agreement will be for one (1) year at the City's sole discretion.

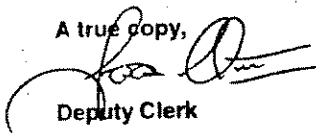
BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.



BE IT FURTHER RESOLVED, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to the Contractor.

AND FINALLY BE IT RESOLVED, that all contracted work shall be charged to and paid from Fund Department and Account Number 5058 (2004 Water & Wastewater Bond Fund) 170215 (DWM Wastewater Sewer Repair) 5414002 (Facilities Other Than Buildings/Infrastructure - CIP) 4333000 (New Sewer Services) 102445 (Sewer Group 2 Rehabilitation) 21445 (DWM 2004 Bond 9999) and PTAE0 Funding Source 17102445 101 505821445 5414002 Facilities Not Buildings - CIP/City of Atlanta.

A true copy,


Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

MAR 03, 2008
MAR 11, 2008